



STATE OF TENNESSEE
HUMAN RIGHTS COMMISSION

Annual Report

2006-2007



TENNESSEE HUMAN RIGHTS COMMISSION
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www.state.tn.us/humanrights

The Honorable Phil Bredesen
Governor
State of Tennessee
Nashville, Tennessee 37243-0001

Members of the General Assembly
of the State of Tennessee
Legislative Plaza
Nashville, Tennessee 37243-0001

Dear Governor Bredesen and Members of the General Assembly:

On behalf of Chairman Spencer Wiggins and the members of the Board of Commissioners, I present the 2006-2007 Annual Report for the Tennessee Human Rights Commission.

During the past year, the support received by the Commission has enabled it to continue safeguarding the civil and human rights of all within the great state of Tennessee. As a result, we have increased the Agency's overall performance numbers, improved the management of our cases, and was able to negotiate more substantial settlements.

As I assume leadership of this organization, I look forward to the continued support that has contributed to the Commission's success. Please take a moment to review this report which summarizes the activities and accomplishments of our dedicated and talented staff.

Civil Rights...Not Just for Some...For All.

Respectfully submitted,

Beverly L. Watts
Executive Director

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Spencer Wiggins
Chairman of the Board

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OUR COMMISSIONERS

Dennis E. Blalock, **West**
David J. Cocke, **West**
Ralph E. Davis, **East**
Stacey Garrett, **Mid**
Yusuf Hakeem, **East**
Reverend Robert E. Jones, **West**
Edwin Perry Osborne, **East**
Patricia Pierce, **Mid**
Nathan B. Pride, **West**
A.J. Starling, **Mid**
Robin Smith, **East**
Bishop Joseph Walker III, **Mid**
Edna Loveday-Rogers, **East**
Arthur E. Horne III, **West**

The fifteen Commission members serve six year terms. They are appointed by the Governor. No more than five can be from each Grand Division of the State. They are appointed on a nonpartisan basis and are to be broadly representative of employees, proprietors, trade unions, religious groups, human rights groups and the general public

For more reasons than I can count, I am extremely proud of our accomplishments in 2007. The Commission remains dedicated to promoting equal opportunity in the workplace and fair housing in neighborhoods all across the state of Tennessee, and we are consistently meeting our strategic goals of providing quality investigations, improving customer service and continuing to develop partnerships with other agencies.

I believe that working for the civil and human rights of all requires long term vision and dedication. I am particularly proud of the achievements of the Commissioners and employees who are driven by our mission. The past year has brought about several changes for the Commission as we welcomed new Commissioners and staff and bid farewell to others. Moving forward, I believe the Commission will continue to meet its challenges with the same dedication and with even more effective methods that will allow us to make our great state free of discrimination.

I am happy to share this annual report with you. I pledge to you that this Commission will continue to serve its constituents diligently. I thank the citizens of Tennessee for their continued support and for allowing me the privilege of serving them.

Sincerely,
Spencer Wiggins

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The purpose of the Tennessee Human Rights Commission is to safeguard all individuals within the state from discrimination in the areas of housing, employment and public accommodation. In regard to housing, it is illegal to discriminate against any individual on the bases of race, color, sex, national origin, religion, familial status and disability. In the areas of employment and public accommodation, it is illegal to discriminate based on race, color, creed, religion, age (over 40), national origin, sex and disability.

The Commission collaborates with government, private and faith based organizations to bring awareness of the opportunities and privileges afforded all individuals within the state. We work to further the interest of the people and secure the Civil Rights of all by providing leadership and developing community-based activities designed to promote the public understanding of our work.

The Commission continuously seeks to foster, through community wide effort, goodwill among the groups and populous of the State.

Moving forward the Commission shall

- Empower all Tennesseans to exercise their rights under the law
- Ensure that housing providers and employers are aware of their rights and responsibilities
- Work with our community partners to encourage human rights policies across the state
- Monitor developments and trends, identify problem areas and use our legal powers to pursue remedies and change
- Report on the state of human rights to the people of Tennessee

COMMISSION OVERVIEW

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The Tennessee Human Rights Commission, formally known as the Tennessee Commission for Human Development, was originally established by Executive Order under Governor Frank G. Clement. In the spring of 1978, the legislature passed the Tennessee Human Rights Act, which gave the Commission enforcement powers under TCA 4-21-101, *et seq.* On July 1, 1983, the name of the Commission was changed to the Tennessee Human Rights Commission.

The General Assembly assured that the newly formed commission had appropriate legislation to enforce laws prohibiting discrimination in employment, public accommodations and housing. The THRC's policies are an embodiment of the Federal Civil Rights Acts of 1964, 1968 and 1972, the Pregnancy Amendment of 1978 and the Age Discrimination in Employment Act of 1967, as amended.

The THRC has a dual mandate of enforcing and promoting the human rights statutes, Title VII of the Federal Civil Rights Act of 1964 and Title VIII of the Federal Civil Rights Act of 1968, which provide protection to individuals against unlawful discrimination in the areas of employment and housing, respectively.

The Commission is a substantially equivalent agency to the federal Equal Employment Opportunity Commission (EEOC) and the U.S. Department of Housing and Urban Development (HUD) because it enforces laws that provide substantive rights, procedures and remedy provisions.

As a substantially equivalent agency, The THRC can and does enter into annual work-sharing agreements with the EEOC and the Department of HUD. In recognition of the agency's common goals, the THRC works closely with both federal agencies to minimize duplication in efforts and to facilitate the administration and the enforcement of the statutes.

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The Housing Division is charged with the investigation of charges of discrimination based on race, color, gender, religion, national origin, disability and familial status in housing as it relates to the sale, rental, advertising, mortgage lending, property insurance, zoning and land use of commercial and real property.

Housing complaints may be filed with the Commission in person, by telephone or through the mail. Once a complaint is received, the complaint is reviewed to determine if the complaint meets jurisdictional standards. If the complaint is jurisdictional, it is assigned to an investigator who will then fully investigate the alleged complaint to determine if there is reasonable cause to believe that discrimination did occur.

Our Investigators interview the parties and witnesses named in the complaint and conduct on-site visits as deemed necessary. Throughout the entire investigative process we work with all parties involved to conciliate the matter. Typically when an agreement is reached through conciliation it usually requires the respondent and/or staff to receive fair housing training.

The following charts and illustrations will show the number of housing complaints filed for investigation, bases and issues of discrimination declared and the total monetary awards.

CHARGE RECEIPTS

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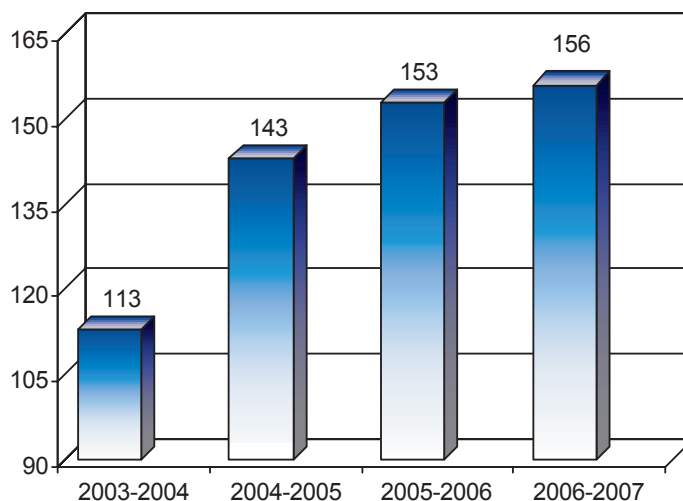


Figure 1

This chart compares the total number of charge receipts

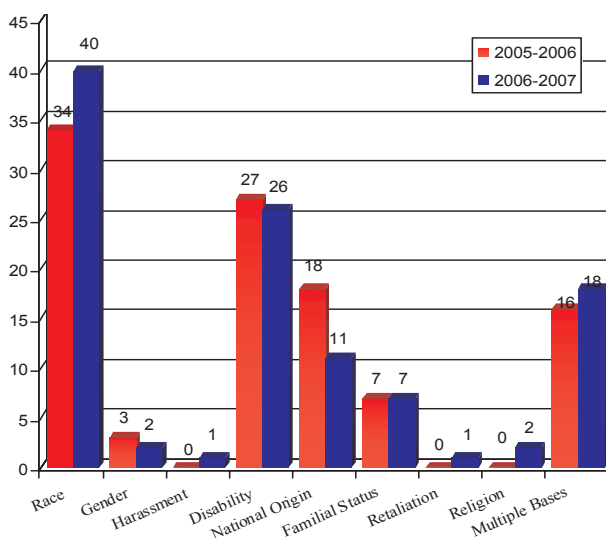


Figure 2

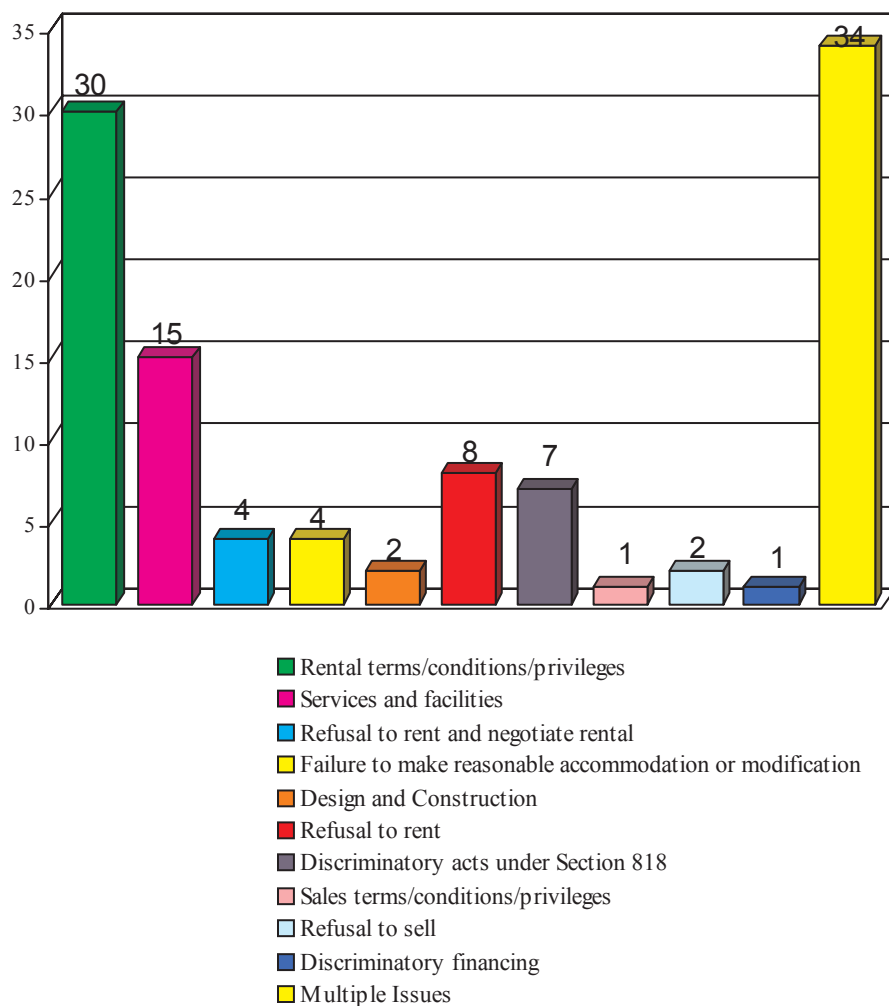
This chart illustrates the charges filed by bases of complaint

ISSUES OF DISCRIMINATION

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Figure 3



This chart illustrates the charge receipts by issue

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Chart 1

Monetary Benefits

	2006	2007
No probable cause	69	71
Complaints dismissed-lack of jurisdiction	8	1
Complainant failed to cooperate	4	1
Closed because trial began	0	3
Complaint withdrawn without resolution	2	2
Complaint withdrawn after resolution	1	5
Settlement/Conciliation agreement	8	19
FHAP Judicial consent order	0	6
Total Complaints Closed	105	108
Total Monetary Benefits	\$5,364	\$37,040

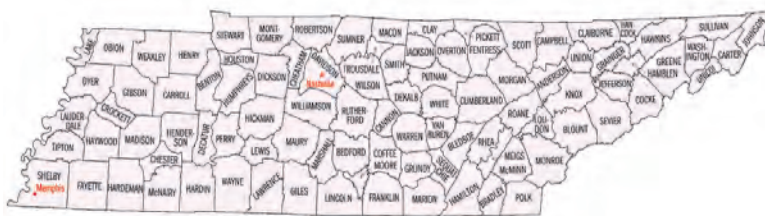
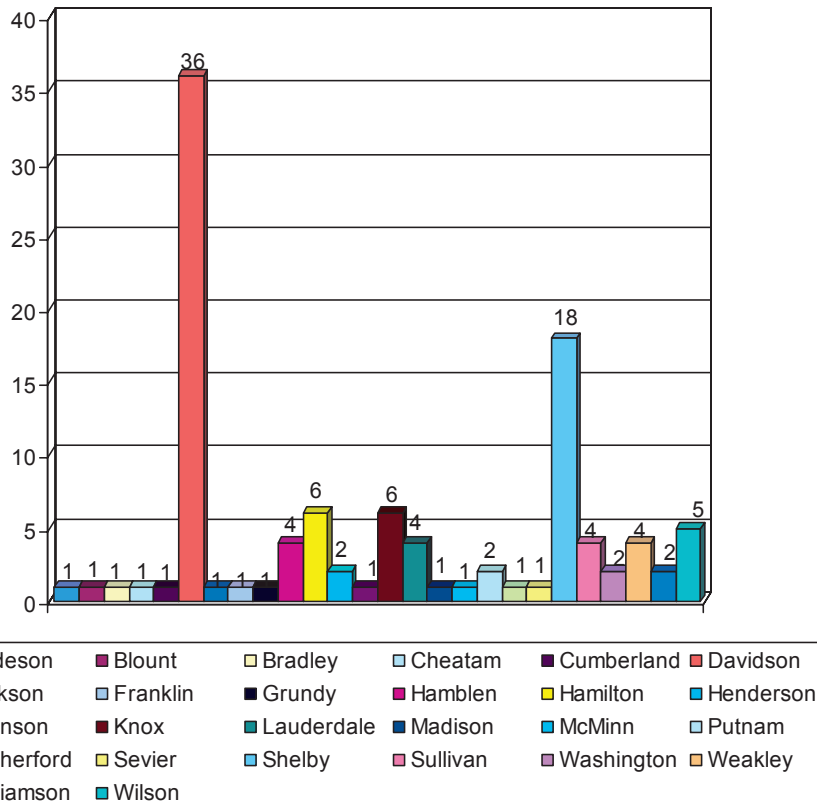
The average case age of the housing inventory was 121 days, down approximately two days from the 2006 fiscal year. The housing division accepted 156 new charges and resolved 108 cases, realizing \$37,040 in monetary benefits for complainants

It should be noted that in addition to monetary awards, settlements typically include stipulations, terms or provisions such as include reinstatement of housing, granting of accessibility, attorney's fees, policy modifications and fair housing training.

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Figure 4



This chart illustrates the charge receipts by reporting counties

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Mediation is a form of Alternative Dispute Resolution that is offered by the Commission as an alternative to the traditional investigative or litigation process. Mediation is an informal process in which a neutral third party assists the parties to a complaint in reaching a voluntary, negotiated resolution of a charge of discrimination. THRC's mediation services are offered at no cost all complainants and respondents. The decision to mediate is completely voluntary for the charging party and the respondent. If both parties agree to the mediation, a mediator will be assigned.

Mediation gives the parties the opportunity to discuss the issues raised in the charge, clear up misunderstandings, determine the underlying interests or concerns, find areas of agreement and, ultimately, incorporate those areas of agreement into a written settlement of the charge. A mediator does not resolve the charge or impose a decision on the parties. Instead, the mediator helps the parties to explore mutually acceptable ways to reach a resolution. The mediation process is strictly confidential.

Agreements reached through mediation are documented and reviewed for approval by the Legal division. If the parties are unable to reach a settlement through mediation the charge is assigned for investigation.

Since July 2005 through January 2007, the employment division received 996 complaints, held 120 mediations and successfully settled 63 closures totaling \$304,613.84 in benefits.

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The employment division is charged with safeguarding the citizens of Tennessee from discrimination in the areas of employment and public accommodation.

It is a discriminatory practice for an employer to discharge or refuse to hire any person or to otherwise discriminate against an individual with respect to compensation, terms, conditions or privileges of employment because of such individual's race, creed, color, religion, gender, age, disability or national origin; or limit, segregate or classify an employee or applicants for employment in any way which would deprive or tend to deprive an individual of employment opportunities or otherwise adversely affect the status of an employee.

In regard to public accommodations, it is a discriminatory practice for a person to deny an individual the full and equal enjoyment of the goods, services, facilities, privileges, advantages and accommodations of a place of public accommodation, resort or amusement, on the grounds of race, creed, color, religion, sex, age or national origin.

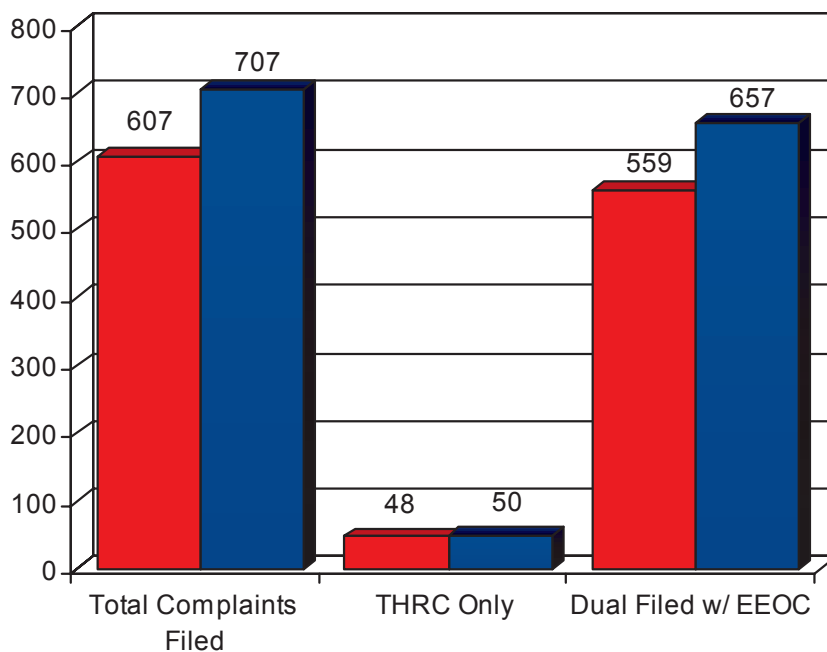
The average case age of the employment inventory was 176 days thus remaining within the EEOC guidelines of 180 days. The employment division accepted 707 new charges and successfully resolved 562 cases, realizing \$467,791 in monetary benefits.

The following charts and illustrations will show the number of employment complaints filed for investigation, bases and issues of discrimination declared and the total monetary awards.

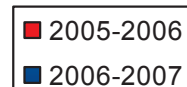
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Figure 5



This chart illustrates the total complaints filed

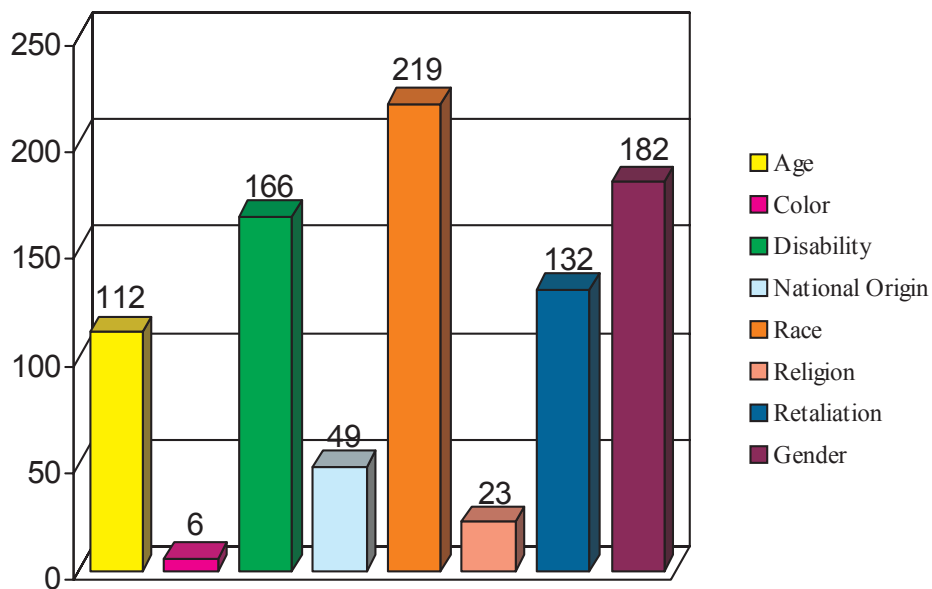


BASES OF DISCRIMINATION

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Figure 6



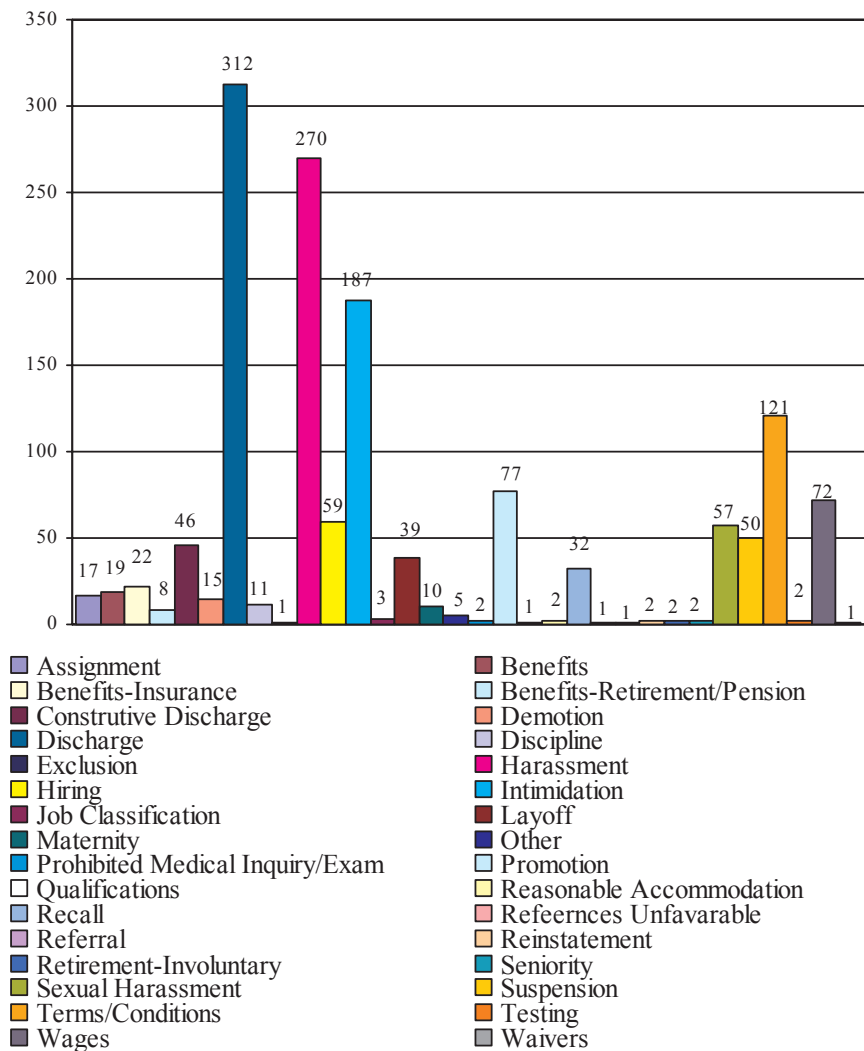
This chart illustrates the charge receipts by bases

ISSUES OF DISCRIMINATION

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Figure 7



This chart illustrates the charge receipts by issue

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Types of Closures

2007

Settlement with Benefits	47
Complaints Withdrawn with Benefits	11
Successful Conciliation	5
Unsuccessful Conciliation	1
No Cause	390
Administrative Closures	108
Total Number of Cases Closed	562

Benefit Type

Attorney's Fees	\$3,906
Compensatory Damages	\$73,384
Fringe Benefits	\$339
Other Monetary (Actual)	\$316,940
Other Monetary (Projected)	\$7,090
Promotion	\$6,240
Reinstatement/Recall	\$31,800
Restored Pay	\$28,092
Total Monetary Benefits	\$467,791

Table 2



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The most powerful tool to eliminating discrimination is education. It is particularly important to educate both the housing provider and tenant, and the employer and employee about their rights and responsibilities under the law.

The Commission works closely with grassroots, faith based and private organizations and other state agencies among others in a coordinated effort to provide training and tutorials about the laws enforced by the Commission.

Language barriers, resources and cultural differences are a few of the many issues facing Nashville's growing immigrant and refugee communities. As these populations grow, so does the potential for discrimination. Because of this reason, the Commission focuses part of its outreach effort on bringing about awareness of the laws that protect these communities from discrimination.

In addition to education and outreach the Commission runs Public Service Announcements on television and radio and continues to promote its website as a resource for information about the Civil Rights of all. The Commission website received over 3,600 hits in the 2007 fiscal year.

Following is a snapshot of the many programs the Commission has participated in and the organizations it's partnered with throughout the state.

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AM 810 LA SABROSITA/RADIO TALK SHOW
 AM 1380 LA LEY/RADIO TALK SHOW
 MEXICAN COUNSEL/LITERATURE DISTRIBUTION
 HILL CHAPEL CHURCH JOB FAIR/ SPONSORSHIP
 DEPT OF JUSTICE/ DISCRIMINATION FORUM
 UMOJA/UNITY FESTIVAL/BOOTH DISPLAY
 TN LABOR MANAGEMENT CONFERENCE
 FINANCIAL SERVICES FOR IMMIGRANTS SEMINAR
 AM 900 LATINA RADIO/TALK SHOW
 SPRINGFIELD TOWN MEETING
 HILL CHAPEL CHURCH HOME BUYERS SEMINAR
 AM 810/TALK SHOW FORUM
 NASHVILLE AREA HISPANIC CHAMBER OF COMMERCE
 EEOC AND THRC CONDUCT WORKSHOP
 STATE HUMAN RESOURCES CONFERENCE
 DEPARTMENT OF JUSTICE/CO HOST WORKSHOP
 NAACP STATE CONFERENCE/SPONSORSHIP
 NEW LEVEL CDC HOMEBUYERS CLASS
 AM 900 RADIO LATINA/TALK SHOW FORMAT
 SCARRITT-BENNETT CELEBRATION OF CULTURES
 AM 810 RADIO/TALK SHOW FORMAT
 NAACP/ANNUAL RUBY HURLEY DINNER
 AM 1380 RADIO/TALK SHOW FORMAT
 URBAN LEAGUE YOUNG PROFESSIONALS
 KNOXVILLE AREA URBAN LEAGUE CONFERENCE
 PANAFRICA CONFERENCE
 TN IMMIGRANT & REFUGEE RIGHTS COALITION ANNUAL CONVENTION

 92Q RADIO/TALK SHOW FORUM
 EEOC AND THRC CONDUCT WORKSHOP
 NEW LEVEL CDC/HOMEBUYERS CLASS
 YES IN YOUR BACK YARD/PANEL DISCUSSION
 FAIR HOUSING SEMINAR/PANEL DISCUSSION
 NASHVILLE AREA HISPANIC CHAMBER COMMERCE FORUM/SPONSORSHIP

 NAACP RACE RELATIONS SUMMIT/SPONSORSHIP

NASHVILLE, TN
 NASHVILLE, TN
 NASHVILLE, TN
 MEMPHIS, TN
 CLARKSVILLE, TN
 JOHNSON, TN
 NASHVILLE, TN
 NASHVILLE, TN
 NASHVILLE, TN
 SPRINGFIELD, TN
 MEMPHIS, TN
 NASHVILLE, TN
 NASHVILLE, TN
 KNOXVILLE, TN
 GALLATIN, TN
 BRENTWOOD, TN
 NASHVILLE, TN
 NASHVILLE, TN
 NASHVILLE, TN
 NASHVILLE, TN
 NASHVILLE, TN
 CHATTANOOGA, TN
 FRANKLIN, TN
 NASHVILLE, TN
 KNOXVILLE, TN
 NASHVILLE, TN

 NASHVILLE, TN
 NASHVILLE, TN
 CHATTANOOGA, TN
 NASHVILLE, TN
 CHATTANOOGA, TN
 CHATTANOOGA, TN
 CLARKSVILLE, TN
 JACKSON, TN



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POWER OF ONE LUNCHEON/SPONSORSHIP
NAACP FREEDOM FUND BANQUET/SPONSORSHIP
KERRY KENNEDY'S SPEAK TRUTH TO POWER
FAIR HOUSING LAW FOR NON-PROFIT LANDLORDS/
HISPANIC ORG. FOR PROGRESS & EDUCATION
AM 810 RADIO TALK SHOW FORMAT
TODOFINANCIERO OUTREACH GRAND OPENING
TN LEGAL AID DISCUSS THE ROLE OF THE AGENCY
HOST QUAD STATE CONFERENCE
FAIR HOUSING SEMINAR/SPONSORSHIP
FAIR HOUSING ALLIANCE OF GREATER MEMPHIS
FAIR HOUSING MATTERS CONFERENCE/MDHA
VA TRANSITIONAL WORKSHOP FOR SOLDIERS
METRO PUBLIC SCHOOLS
TN HEAD START ASSOCIATION TRAINING
AMERICAN SOCIETY FOR HEALTHCARE HUMAN RESOURCES ADMINISTRATION

NASHVILLE AREA HISPANIC CHAMBER OF COMMERCE
TN DEPT. OF LABOR AND WORKFORCE DEV.
NASHVILLE AREA HISPANIC CHAMBER OF COMMERCE
HISPANIC ORGANIZATION FOR PROGRESS AND EDUCATION

CHATTANOOGA, TN
NASHVILLE, TN
NASHVILLE, TN
NASHVILLE, TN
CLARKSVILLE, TN
NASHVILLE, TN
NASHVILLE, TN
NASHVILLE, TN
NASHVILLE, TN
FRANKLIN, TN
JACKSON, TN
MEMPHIS, TN
NASHVILLE, TN
JOHNSON, TN
NASHVILLE, TN
NASHVILLE, TN
NASHVILLE, TN
NASHVILLE, TN
NASHVILLE, TN
MCMINNVILLE, TN
SHELBYVILLE, TN
MCMINNVILLE, TN

CLARKSVILLE, TN

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EXPENDITURES	FY 2006	FY 2007
PERSONNEL SERVICES & BENEFITS		
	\$1,518,400	\$1,772,200
OTHER EXPENDITURES	\$640,000	740,600
TOTAL EXPENDITURES	\$2,158,400	\$2,512,800
FUNDING		
STATE	\$1,458,600	\$1,626,600
FEDERAL	668,800	886,200
OTHER	31,000	0
TOTAL REVENUE	\$2,158,400	\$2,512,800
POSITIONS		
PART-TIME	1	0
FULL-TIME	28	30
SEASONAL	0	0
TOTAL PERSONNEL	29	30

Table 3

For general state-wide information,
employment and public accommodation complaints
Please call 800-251-3589

For housing-related complaints, call 800-325-9664

The Commission has its central office in Nashville and has
regional offices in Chattanooga, Knoxville and Memphis.

CHATTANOOGA

540 McCallie Avenue
Fourth Floor West Wing
Chattanooga, TN 37402
Phone: 423-634-6837
Fax: 423-634-6986

KNOXVILLE

531 Henley Street
Room 701
Knoxville, TN 37902
Phone: 865-594-6500
Fax: 865-594-6178

MEMPHIS

170 North Main Street
State Office Building
Memphis, TN 38103
Phone: 901-543-7389
Fax: 901-543-6042

NASHVILLE

530 Church Street, Suite 305
Nashville, TN 37243-0745
Phone: 615-741-5825
Fax 615-253-1886





